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4 Attorney for Plaintiff
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7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF NEVADA**

9)
10 FELICIA HAYES,)

11 Plaintiff,)

12 vs.)

13 CLARK COUNTY SCHOOL)
DISTRICT,)

14 Defendant.)
15)
16
17
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COMPLAINT
(Jury Demanded)

19 COMES NOW Plaintiff and complains of Defendant as follows:
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21 **First Cause of Action**

22 **(Title VII - Race)**

23 I.

24 This is a civil rights in employment lawsuit based upon Title VII and the
25 ADEA. Jurisdiction and venue are based upon 28 U.S.C. § 1331.
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II.

Plaintiff FELICIA HAYES is a 56 year old African-American female residing in Clark County, Nevada. Defendant CLARK COUNTY SCHOOL DISTRICT (hereinafter "CCSD") is a local government employer organized under the laws of the State of Nevada.

III.

The Plaintiff was employed by CCSD in 2003 as a substitute teacher. She promoted to a Special Education Teacher. She was subjected to unequal terms and conditions and discipline, primarily because of her race and age. When she complained that this discriminatory treatment was because of her race and age she was discharged in May, 2021.

IV.

After she was terminated the Plaintiff filed a Charge of Discrimination with the EEOC, a copy of which is attached hereto and the facts set forth therein are hereby incorporated by reference. That Charge alleged Title VII and ADEA claims based upon race, age and retaliation. A right to sue letter based upon the charge and amended charge has been received and this lawsuit is being filed within 90 from the receipt of that letter, a copy of which is attached to this complaint.

V.

As a direct result of the Defendant's discriminatory and retaliatory acts the Plaintiff has suffered financial loss, physical injuries and emotional distress based upon those injuries.

Second Cause of Action

(Title VII - Retaliation)

VI.

The Plaintiff repleads and realleges the allegations contained in paragraphs I through IV as though fully set forth herein.

VII.

The above described acts of Defendant CCSD were done in retaliation for the Plaintiff's actions in complaining about discriminatory conduct and the Plaintiff has been harmed as a direct result of said acts.

Third Cause of Action

(Age Discrimination)

VIII.

The Plaintiff repleads and realleges the allegations contained in paragraphs I through VI as though fully set forth herein.

IX.

The above described acts of CCSD constitute violations of the Age Discrimination in Employment Act (ADEA) and the Plaintiff has been harmed as a direct result of said acts.

WHEREFORE, Plaintiff prays for the following relief:

1. Reinstatement with full backpay, benefits and prejudgment interest;
2. Compensatory damages in an amount of \$300,000;
3. Attorney's fees and costs of suit; and
4. Such other and further relief as the Court may wish to entertain.

DATED this 29th day of December, 2022.



RICHARD SEGERBLOM, ESQ.
602 South 10th Street
Las Vegas, Nevada 89101
Attorney for Plaintiff

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 487-2022-00043	
NEVADA EQUAL RIGHTS COMMISSION and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr., Ms., Mrs.) MS. FELICIA A HAYES		Home Phone (725) 204-2468	Year of Birth 1966
Street Address City, State and ZIP Code 505 KASPER AVE., LAS VEGAS, NV 89106			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name CLARK COUNTY SCHOOL DISTRICT		No. Employees, Members 501+	Phone No. (702) 799-7185
Street Address City, State and ZIP Code 2505 N. BRUCE ST., NORTH LAS VEGAS, NV 89030			
Name		No. Employees, Members	Phone No.
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)			DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 09-01-2020 05-28-2021 <input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): On or about August 01, 2003 I was hired by Clark County School District in the position of Substitute Teacher. My last position held was Special Education Teacher. This past school year I received a low evaluation from my Supervisor, Jennifer Leifer. Ms. Leifer gave me ones in areas that I feel I should have deserved threes. Ms. Leifer never counseled me on any issues with my performance. Ms. Leifer subjected to unequal terms and conditions of my employment when she would pick and chose if an employee would be disciplined. My SLD class was removed from me and given to another co-worker. On or about May 28, 2021 I was discharged. I believe I have been discrimainted against based on my Age (Over the Age of 40), in violation of the Age Discrimination Act of 1967, as amended, my Race (African American), and retaliated against for engaging in a protected activity, in violation of Title VII of the Civil Rights Act of 1964, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.		NOTARY - When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Digitally signed by Felicia A Hayes on 01-06-2022 02:01 PM EST			



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Los Angeles District Office
255 East Temple St, 4th Floor
Los Angeles, CA 90012
(213) 785-3090
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 09/28/2022

To: Ms. Felicia A. Hayes
505 Kasper Ave.
LAS VEGAS, NV 89106
Charge No: 487-2022-00043

EEOC Representative and email: Karrie Maeda
State, Local & Tribal Program Manager
karrie.maeda@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 487-2022-00043.

On behalf of the Commission,

Digitally Signed By: Christine Park-Gonzalez
09/28/2022

Christine Park-Gonzalez
Acting District Director